

REMARKS

Applicants reply to the final Office Action mailed on July 9, 2010 within two months. Claims 2-4, 6-18, 39 and 40 are pending in the application and the Examiner rejects claims 2-4, 6-18, 39 and 40. Applicants add new claims 41-42. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter is entered with these amendments. Applicants respectfully request reconsideration of this application.

Rejections under 35 U.S.C § 103

The Examiner rejects claims 2-4, 6-18, 39 and 40 under 35 U.S.C. 103(a) as being unpatentable over McDonough, US Patent No. 6,070,142 ("McDonough") in view of Cunningham, US Patent No. 6,014,645 ("Cunningham") and further in view of "The World Wide Web as enabling technology for CSCW: The case of BSCW", R Bentley, T Horstmann, J Trevor - Computer Supported Cooperative ... , 1997 – Springer ("Bentley"), and further in view of Carleton, US Publication No. 2001/0044840, ("Carleton"). Applicants respectfully disagree with these rejections, but Applicants present claim amendments in order to clarify the patentable aspects of the claims and to expedite prosecution.

Carleton discloses a system for real-time monitoring of a network. See Carleton Abstract. The Carleton system monitors network operations and can send notifications to network management personnel in the case of a network operational issue or performance problem. See Carleton, para. 0009. Notifications may be sent by fax, pager, email or telephone. The Carleton system provides for business rules that specify performance levels and for redundant monitoring. See Carleton, para. 0010.

Significantly, Carleton fails to disclose determining a status of a plurality of utilities and modules and determining (from those individual statuses and from a workflow associated with a certain event request) that the event request (e.g., associated with a product or service) is operationally available. In other words, while Carleton may disclose monitoring a network and determining individual (or point) failures, Carleton fails to disclose the sophistication associated with determining from a holistic view of the condition of all the monitored assets, a product or

service offering that may be unavailable. None of the cited references contemplate such sophistication.

Neither McDonough, Cunningham, nor Bentley cure the deficiencies of Carleton.

As such, neither Carleton nor any of the cited references, alone or in combination, disclose or contemplate at least,

determine, based upon a first event request, a subset of the plurality of handler systems and a subset of the plurality of worker utilities associated with the first event request, wherein the first request comprises a request for at least one of a product or a service;

...

analyze, the plurality of statuses based upon the first request and first business logic to determine an request readiness status, wherein the first business logic comprises information interrelating the first request and the subset of the plurality of handler systems and the subset of the plurality of worker utilities;

determine, based at least in part on the plurality of statuses and the request readiness status, a time slot during which the plurality of clients are permitted to submit the first event request;

...

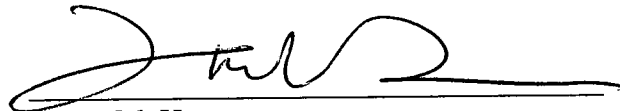
as recited in independent claim 39 (emphasis added) and as similarly recited in independent claims 41-42. Applicants therefore respectfully submit that independent claims 39 and 41-42 are allowable over the cited references.

Dependent claims 2-4, 6-18 and 40 variously depend from independent claim 39, so dependent claims 2-4, 6-18 and 40 are allowable over the cited references for the reasons set forth above, in addition to their own unique features, some of which are stated above.

In view of the above remarks, Applicants respectfully submit that all pending claims properly set forth that Applicants regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814.

Respectfully submitted,

Dated: 8/30/2010

A handwritten signature in black ink, appearing to read 'J M Hennessee', written over a horizontal line.

James M. Hennessee
Reg. No. 62,659

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004
Phone: 602-382-6516
Fax: 602-382-6070
Email: mhennessee@swlaw.com